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Remarks

Reconsideration of the application in view of the above amendments and the following remarks is requested. Claims 1-3 and 5-7 are in this case. Claim 4 has been canceled. Claims 1 and 5 have been amended. The subject matter of Claim 4 has been incorporated into Claim 1. In Claim 1, the surfactants in group a) have been limited to preferred alkoxyated alkylamines or alkyletheramines by deleting $C_1 - C_4$ alkyl groups from the definition of R^2 and R^3 ; support for this amendment is found at page 10 lines 8-10 of the specification. The dependence of Claim 5 has been changed to that of Claim 1 rather than the now canceled Claim 4.

Claims 1-3 and 7 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US 6,030,923 (Okano *et al.*) Claims 5 and 6 are objected to as being based upon a rejected claim.

The present invention concerns herbicidal concentrate compositions consisting essentially of (a) water, (b) glyphosate, predominantly in the form of the monomethylamine or the dimethylamine salt, in solution in the water in an amount of greater than about 350 grams of acid equivalent per liter of the composition, and (c) at least one surfactant in a total amount of about 20 to about 200 grams per liter of the composition. The surfactant is chosen from the list a) through h). Alkylamines have been deleted from the surfactants of group a), which is now limited to preferred alkoxyated alkylamines and alkyletheramines.

Okano *et al.* disclose liquid agricultural chemical compositions comprising (1) a water soluble agricultural chemical, including the monomethylamine or the dimethylamine salts of glyphosate (Table 3), (2) a quaternary surfactant and, most importantly, (3) an acid salt, e.g., a hydrochloride salt, of an alkylamine $NR^3R^4R^5$ wherein R^3 is a C_4 - C_{18} alkyl or alkenyl group and R^4 and R^5 are independently H, CH_3 or CH_2CH_3 . The acid salt of the alkylamine (3) is necessary to impart stability to the composition.

With the inclusion of the list of surfactants a) through h) from Claim 4 into (c) of Claim 1 and with the exclusion of alkylamines from group a), the present invention lacks the required alkylamine (3) of Okano *et al.* With the absence of this essential element, the claims of the present invention are not anticipated by Okano *et al.* and

comply with the requirements of 35 U.S.C. § 102(b). The objection to Claims 5 and 6 is moot.

Contrary to the assertion by the Examiner that the "Applicants state that the low viscosity of their claimed compositions is the direct result of using the MMA or DMA glyphosate salts", the Summary states that ". . . the monomethylamine (MMA) and the dimethylamine (DMA) salts of glyphosate allow the preparation of high-strength liquid formulations at surprisingly low viscosity." This is not an admission that low viscosity is an inherent property of the MMA/DMA salt compositions of Okano *et al.*, but rather a statement that MMA/DMA salts of glyphosate allow the formulation of the high-strength low-viscosity compositions of the present invention.

Reconsideration of this application and its early allowance are respectfully requested.

Respectfully submitted,



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